

AIR POLLUTION CONTROL DISTRICT HEARING BOARD

**FACTS TO SUPPORT FINDINGS NECESSARY TO GRANT A
PRODUCT VARIANCE**

(Attach additional pages, if needed)

PETITION NUMBER _____ PETITIONER: _____

- A. The manufacture, distribution, offering for sale, sale, application, soliciting the application, or use of the product is, or will be, in violation of a rule, regulation or order of the District. **State which rule, regulation or order of the District will be violated.**

- B. Due to conditions beyond the reasonable control of the petitioner, requiring compliance would result in either an arbitrary or unreasonable taking of property, or the practical closing and elimination of a lawful business. **Present testimony or evidence that shows why the need for a variance is beyond your reasonable control and the impact denial of a variance would have on your business.**

- C. The taking or closing would be without a corresponding benefit in reducing air contaminants. **Present testimony or evidence to compare the reduction in air contaminants if you were not given a variance to the business impact discussed above in (b).**

- D. The petitioner exercised due diligence in attempting to locate, research, or develop a product that is in compliance with District Rules and Regulations. **Present testimony or evidence that shows the efforts you have made to achieve compliance instead of requesting this variance.**

- E. During the period that the product variance is in effect, the petitioner shall quantify any excess emissions to the maximum extent feasible and report the emission levels to the District, if requested by the District. **Present testimony or evidence, which shows that you keep records, logs, schedules, etc. Which can quantify emissions.**

I declare under penalty of perjury under the laws of the State of California that the above facts are true and correct.

Executed on _____, 200____.

Petitioner Signature

Petitioner Name (Print)